

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF MISSOURI
EASTERN DIVISION

TRUSTEES OF BOSTON COLLEGE,)	
Plaintiff,)	
)	
v.)	Case No. 4:24-cv-1523 HEA
)	
URSHAN UNIVERSITY, INC.)	
)	
Defendant.)	

ORDER

This matter is before the Court on its own motion. Pending in this matter is a motion for preliminary injunction. The parties dispute the Court’s subject matter jurisdiction under 28 U.S.C. § 1332. Plaintiff represents the amount in controversy exceeds \$75,000 in that the amount of the “gift” to Defendant is \$27,000, the amount of the expense of engaging Emil Frei and Associates to remove the windows is roughly \$62,000, thereby establishing the amount in controversy to be in excess of \$75,000. The pleadings to date, however, fail to advise the Court whether the expense of engaging Emil Frei and Associates is contingent upon receiving the relief sought, *i.e.*, is Plaintiff obligated to pay Emil Frei and Associates regardless of whether it succeeds in this action?


Plaintiff, in a footnote, advises the Court that it is prepared to adduce testimony that the replacement cost of the windows far exceeds \$75,000.

The Court is of the opinion that further evidence of its subject matter jurisdiction is necessary.

Accordingly,

IT IS HEREBY ORDERED that the parties shall, within 10 days from the date of this Order, file supplemental briefs, including affidavits or declarations, regarding the Court's diversity jurisdiction.

Dated this 13th day of February, 2025.



HENRY EDWARD AUTREY
UNITED STATES DISTRICT JUDGE